

AO 93C (08/18) Warrant by Telephone or Other Reliable Electronic Means

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## UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICOfor the  
District of New MexicoOCT - 7 2024  
KHSMITCHELL R. ELFERS  
CLERKIn the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)THE RED BUICK, NEW MEXICO LICENSE PLATE  
BXKX64, BEARNING VIN KL4AMBSLXRB201833

Case No. MR 24-1684

**WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search and seizure of the following person or property located in the \_\_\_\_\_ District of \_\_\_\_\_ New Mexico  
(identify the person or describe the property to be searched and give its location):

See Attachment A, incorporated by reference.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):


See Attachment B, incorporated by reference.

**YOU ARE COMMANDED** to execute this warrant on or before September 28, 2024 (not to exceed 14 days)☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

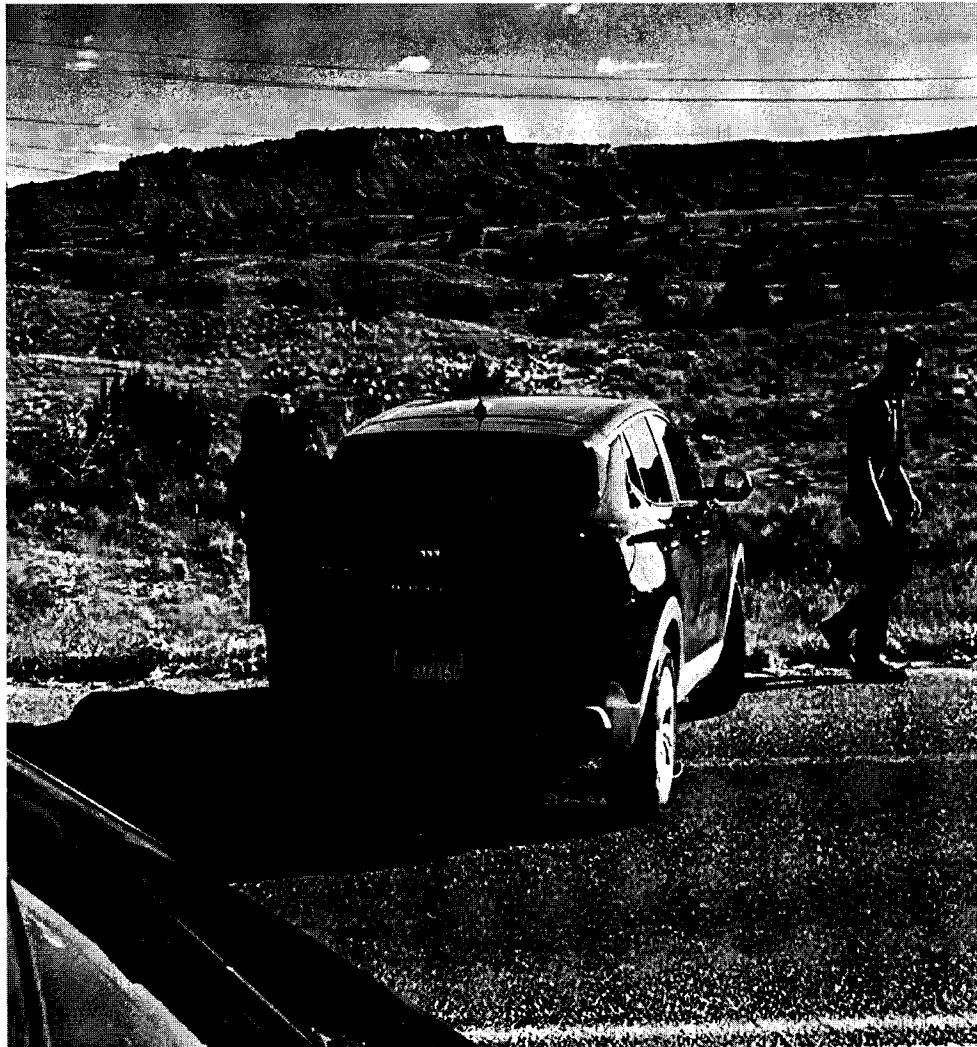
The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to B. Paul Briones, United States Magistrate Court Judge  
(United States Magistrate Judge)☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)☐ for \_\_\_\_\_ days (not to exceed 30) ☐ until, the facts justifying, the later specific date of \_\_\_\_\_Date and time issued: 9:51 AM, Sep 14, 2024  
Judge's signatureCity and state: Farmington, New MexicoB. Paul Briones, United States Magistrate Court Judge  
Printed name and title

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| Return   |   |  |
|--|---|--|
| Case No.:<br><b>MR - 24 - 1684</b>   | Date and time warrant executed:<br><b>9/20/24 ~ 8:55 AM</b> | Copy of warrant and inventory left with:<br><b>Tenille Peshlakai</b> |
| Inventory made in the presence of:<br><b>SA Harshbarger &amp; NMSP Todd Sibley</b>   |   |  |
| Inventory of the property taken and name(s) of any person(s) seized:<br><b>• Event Data Recorder of Red Buick - BXKX64</b>   |   |  |
| Certification  |   |  |
| <p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</p> <p>Date: <b>9/20/24</b></p> <p><br/>Executing officer's signature<br/><b>Jana Harshbarger, Special Agent</b><br/>Printed name and title</p> |   |  |

ATTACHMENT A

The property to be searched is the Target Vehicle, a Red Buick, New Mexico (NM) license plate BXKX64 with VIN KL4AMBSLXRB201833, currently location is unknown.



**ATTACHMENT B**

1. As a result of this investigation, there is probable cause to believe that contained within the interior and/or exterior of the Target Vehicle, there is evidence related to violations of Title 18 U.S.C. § 113(a)(3) and 18 U.S.C. § 1153, that being assault with a dangerous weapon, occurring in Indian Country. The search warrant authorizes the collection of the following for the date September 2, 2024:

- a. Stored electronic data, information, images, and related digital storage, and/or vehicle diagnostic data from electronic systems within the Vehicle, including, but not limited to:
  - i. unique device identifiers;
  - ii. media files;
  - iii. call logs;
  - iv. contacts;
  - v. SMS;
  - vi. Bluetooth connections;
  - vii. USB connections;
  - viii. voice commands;
  - ix. voice recordings;
  - x. voice calling;
  - xi. web browser history;
  - xii. Wi-Fi connections;
  - xiii. speech recognition;
  - xiv. time updates;
  - xv. track logs;
  - xvi. traction events;

- xvii. traffic updates;
  - xviii. stop/start log;
  - xix. GPS warnings;
  - xx. hard acceleration;
  - xxi. hard braking;
  - xxii. light status;
  - xxiii. odometer reading;
  - xxiv. gear shifts;
  - xxv. historical navigation data;
  - xxvi. historical speed data;
  - xxvii. historical event data; and
  - xxviii. data streaming services and related content.
- b. Electronic data recorders.
  - c. Photos of the interior and exterior of the Target Vehicle;
  - d. Documentation, in any form, establishing the ownership and potential operator of the Target Vehicle.

As used above, the terms “records” and “information” include all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as flash memory or other media that can store data) and any photographic form.

This warrant authorizes a review of electronic storage media and electronically stored information seized or copied pursuant to this warrant in order to locate evidence, fruits, and instrumentalities described in this warrant. The review of this electronic data may be conducted by any government personnel assisting in the investigation, who may include, in addition to law

enforcement officers and agents, attorneys for the government, attorney support staff, and technical experts. Pursuant to this warrant, the FBI may deliver a complete copy of the seized or copied electronic data to the custody and control of attorneys for the government and their support staff for their independent review.